MINUTES FOR THE COURT OF APPEAL STATE OF CALIFORNIA SECOND APPELLATE DISTRICT

May 18, 2010

DIVISION TWO

B215952 Gonzalez (Not for Publication)

v.

IHG Management (Maryland) LLC, et al.

The judgment is affirmed. IHG and Nader shall recover costs on appeal.

Ashmann-Gerst, J.

We concur: Doi Todd, Acting P.J.

Chavez, J.

B210049 Zahid Karim, et al. (Not for Publication)

V.

City of Pomona

The award of attorney fees is reversed and remanded for a recalculation. In all other respects the judgment is affirmed. The homeowners are entitled to their costs on appeal.

Ashmann-Gerst, J.

We concur: Boren, P.J.

Doi Todd, J.

B213965 Douglas R. Ring, Inc., et al.

v.

Joseph A. Marasco, et al.

Filed order modifying opinion. Petitions for rehearing is denied. (No change in the judgment)

DIVISION THREE

B217660 Los Angeles County, D.C.F.S. (Not for Publication)

v. R.H. C.M.

The order is affirmed.

Aldrich, J.

We concur: Croskey, Acting P.J.

Kitching, J.

B215955 Thomas (Not for Publication)

v.

National Railroad Passenger Corp.

The summary judgment is reversed. Costs on appeal are awarded to

Everlyn Thomas.

Aldrich, J.

We concur: Klein, P.J.

Kitching, J.

B212424 Atoori, et al. (Not for Publication)

v.

Faramarzi

The order granting the special motion to strike is affirmed. Faramarzi is entitled to recover his costs on appeal.

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Croskey, J.

We concur: Klein, P.J.

Kitching, J.

DIVISION THREE (continued)

B212806 Price, Jr. (Not for Publication)

v.

Automobile Club of Southern California

The motion by the Automobile Club of Southern California to dismiss the appeal is denied. The March 5, 2009, order is reversed, and the matter is remanded to the trial court with directions to vacate its March 5, 2009, order and to enter a new and different order, pursuant to section 597, that an interlocutory judgment shall be entered in favor of the defendant to the effect that no trial of other issues shall be had until final determination of the other action, i.e. that the action be stayed until resolution of Felix v. Automobile Club of Southern California (OCSC Case No. 07CC01421) or further order of the court. Costs on appeal are awarded to defendant Automobile Club of Southern California.

Kitching, J.

We concur: Croskey, Acting P.J.

Aldrich, J.

DIVISION FOUR

B209509 People (Not for Publication)

v.

Nguyen

The judgment is affirmed.

Willhite, J.

We concur: Epstein, P.J.

Manella, J.

DIVISION FOUR (continued)

B217142 L&J Assets, LLC (Not for Publication)

v.

Vasquez

The judgment is affirmed. Respondent(s) to recover costs.

Manella, J.

We concur: Willhite, Acting P.J.

Suzukawa, J.

DIVISION FIVE

B218394 People (Not for Publication)

v.

Bruce Alan Hickman

Upon issuance of the remittitur, the clerk of the superior court shall correct the abstract of judgment to reflect the Penal code section 1468.8, subdivision (a)(1) court security fee. The judgment is affirmed in all other respects.

Ferns, J. (Assigned)

We concur: Mosk, Acting P.J.

Kriegler, J.

DIVISION SIX

B214707 People (Not for Publication)

v. C. H.

The dispositional order of the juvenile court committing appellant to the DJJ is affirmed.

Yegan, J.

We concur: Gilbert, P.J. Perren, J.

B202840 People (Not for Publication)

v.

Ross W.

We remand for further proceedings to determine and approve a residence that complies with *In re E.J.*, *supra*, 47 Cal.4th 1258, but otherwise affirm.

Gilbert, P.J.

We concur: Yegan, J.

Coffee, J.

B218762 Child Welfare Services (Not for Publication)

v. R.F.

The judgment (order terminating parental rights) is affirmed.

Yegan, J.

We concur: Gilbert, P.J.

Coffee, J.

DIVISION SIX (continued)

B209176 Melissa Camp (Certified for Publication)

v.

State of California, et al.

The judgment is reversed, and the trial court is directed to enter judgment in favor of appellants State of California and Lewis. Appellants are awarded their costs on appeal.

Yegan, Acting P.J.

We concur: Coffee, J.

Perren, J.

B222550 Ana A. (Not for Publication)

v.

San Luis Obispo Superior Court (Dept. of Social Services, r.p.i.)

We deny the petition for extraordinary writ.

Gilbert, P.J.

We concur: Coffee, J.

Perren, J.

DIVISION SEVEN

B213331 People (Not for Publication)

v. Talley

The judgment is affirmed.

Perluss, P.J.

We concur: Woods, J.

Jackson, J.

DIVISION SEVEN (continued)

B212566 People (Not for Publication)

v.

Marquez

Marquez's conviction on count 22 is reversed, and the corresponding sentence of 25 years to life plus sentencing enhancements totaling 20 years is vacated. The judgment is modified to impose additional penalty assessments of \$210 pursuant to section 1464, subdivision (a)(1), and \$147 pursuant to Government Code section 76000, subdivision (a)(1), a \$42 state surcharge pursuant to section 1465.7, subdivision (a), and a state court construction fee of \$63 pursuant to Government Code section 70372, subdivision (a). The judgment is affirmed in all other respects.

The abstract of judgment is also ordered corrected as set forth in this opinion. The superior court is directed to prepare a corrected abstract of judgment and to forward it to the Department of Corrections and Rehabilitation.

Perluss, P.J.

We concur: Woods, J.

Jackson, J.

B218495 People (Not for Publication)

v. Lewis

The judgment is affirmed.

Perluss, P.J.

We concur: Woods, J.

Zelon, J.

DIVISION SEVEN (continued)

B215090 People (Not for Publication)

v. Ajaj

The order revoking Ajaj's probation and imposing a five year prison sentence is affirmed.

Perluss, P.J.

We concur: Zelon, J.

Jackson, J.

B214662 People (Not for Publication)

v.

Calhoun

The judgment is affirmed.

Perluss, P.J.

We concur: Jackson, J.

Segal, J. (Assigned)

B215802 People (Not for Publication)

V.

Gonzalez

The judgment is reversed and the matter is remanded for the limited purpose of allowing the trial court to resentence Gonzalez in accordance with the principles expressed in this opinion. In all other respects, the judgment is affirmed.

Perluss, P.J.

We concur: Zelon, J.

Jackson, J.

DIVISION SEVEN (continued)

B216152 People (Not for Publication)

v.

Watkins

The judgment is affirmed.

Perluss, P.J.

We concur: Zelon, J.

Jackson, J.

B216748 People (Not for Publication)

v.

Gomez

The two-year concurrent sentences on counts 2 and 3 are stayed pending service of sentence on count 1, such stay to become permanent upon completion of sentence as to count 1. The \$20 court security fee is to be imposed as to each of the three counts for a total of \$60. The superior court is directed to forward an amended abstract of judgment to the Department of Corrections and Rehabilitation. As so modified, the judgment is affirmed.

Woods, Acting P.J.

We concur: Zelon, J.

Jackson, J.

B216399 People (Not for Publication)

v.

MacNeil

The judgment is affirmed.

Woods, J.

We concur: Perluss, P.J.

Zelon, J.

DIVISION SEVEN (continued)

B215416 People (Not for Publication)

v.

Cameron L.,

The judgment is modified to reflect a maximum confinement term of five years and two months. As modified, the judgment is affirmed.

Woods, Acting P.J.

We concur: Zelon, J.

Jackson, J.

B220519 Los Angeles County, D.C.F.S. (Not for Publication)

v. L. C.,

The judgment is affirmed.

Woods, Acting P.J.

We concur: Zelon, J.

Jackson, J.

B221965 Marquez (Not for Publication)

v.

Superior Court, Los Angeles County (Estate of Pablo Garcia et al., r.p.i.)

The petition for writ of mandate is granted. The trial court is directed to vacate its January 27, 2010, order denying Marquez's motions to quash the deposition subpoena for business records and deposition of the person most qualified served on the Betty Ford Center and to issue a new order granting these motions. Marquez is entitled to his costs.

Woods, J.

We concur: Perluss, P.J.

Jackson, J.

DIVISION SEVEN (continued)

B217606 Uwaydah, et al. (Not for Publication)

v.

Roth, et al.

The order is affirmed. Roth is entitled to his attorney fees and costs pursuant to section 425.16.

Woods, J.

We concur: Perluss, P.J.

Jackson, J.

DIVISION EIGHT

B215078 People (Not for Publication)

v.

Millman

The judgment is affirmed.

Flier, J.

We concur: Bigelow, P.J.

Rubin, J.

B207381 MBGF Properties (Not for Publication)

v.

Concourse Parking Corporation

The judgment is affirmed. Respondent is to recover its costs on appeal.

Flier, J.

We concur: Rubin, Acting P.J.

Grimes, J.

DIVISION EIGHT (continued)

B215801 Genji Torihar (Not for Publication)

v.

Regents of the University of California

The judgment is affirmed. Respondent is to recover its costs on appeal.

Flier, J.

We concur: Bigelow, P.J.

Rubin, J.